

WOHL & FRUCHTER LLP

570 LEXINGTON AVENUE, 16TH FLOOR
NEW YORK, NY 10022

T 212 758 4000
F 212 758 4004

www.wohlfruchter.com

ETHAN D. WOHL

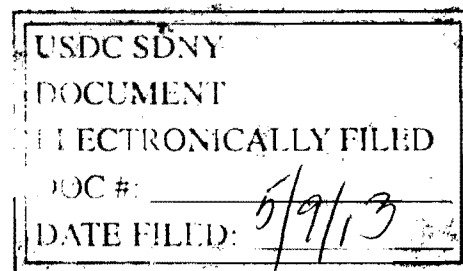
direct 212 758 4097

ewohl@wohlfruchter.com

April 25, 2013

BY FACSIMILE

Hon. Victor Marrero
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007



Re: *Kaplan v. S.A.C. Capital Advisors, L.P.*, No. 12 Civ. 9350 (VM)

Dear Judge Marrero:

We are Co-Lead Counsel for Plaintiffs in the above-referenced action and write on behalf of all parties to submit a case management matter for determination by the Court.

As provided by the Stipulation and Order entered by the Court on February 6, 2013 [D.E. 10], the parties have conferred regarding a schedule for further proceedings. The parties dispute, however, whether adjudication of motions to dismiss should proceed presently or be deferred pending a final decision by the Court on the settlement between the Securities and Exchange Commission and affiliates of S.A.C. Capital Advisors, L.P. in *SEC v. CR Intrinsic Investors, LLC*, No. 12 Civ. 8466 (VM), which was conditionally approved by Your Honor by Decision and Order entered April 16, 2013.

We submit herewith a proposed Scheduling Order containing the parties' respective proposals on this issue, a copy of which has been transmitted to judgments@nysd.uscourts.gov.

All parties are available at the Court's convenience for a conference if the Court deems advisable, and thank the Court for its consideration of this matter.

Respectfully submitted,

WOHL & FRUCHTER LLP

POMERANTZ GROSSMAN HUFFORD
DAHLSTROM & GROSS LLP

By: Ethan Wohl
Ethan D. Wohl

By: Marc I. Gross
Marc I. Gross

Encl.

cc: All Counsel of Record (via email)

